

THAT WHICH IS CLAIMED:

1. An isolated nucleic acid molecule comprising a polynucleotide which initiates transcription in a plant cell and comprises a sequence selected from the group consisting of:
  - a) SEQ ID NO:1;
  - b) at least 55 contiguous nucleotides of SEQ ID NO:1;
  - d) a sequence having at least 70% sequence identity to the full length of SEQ ID NO:1.
  - e) a sequence of a polynucleotide that hybridizes under stringent conditions to the complement of SEQ ID NO:1.
2. An expression cassette comprising a polynucleotide of Claim 1 operably linked to a polynucleotide of interest.
3. A vector comprising the expression cassette of Claim 2.
4. A plant cell having stably incorporated into its genome the expression cassette of Claim 2.
5. The plant cell of Claim 4, wherein said plant cell is from a monocot.
6. The plant cell of Claim 5, wherein said monocot is maize, barley, wheat, oat, rye, sorghum, or rice.
7. A plant having stably incorporated into its genome the expression cassette of Claim 2.
8. The plant of Claim 7, wherein said plant is a monocot.

9. The plant of Claim 8, wherein said monocot is maize, barley, wheat, oat, rye, sorghum, or rice.

10. A transgenic seed of the plant of Claim 7.

5

11. The plant of Claim 7, wherein the polynucleotide of interest encodes a gene product that confers pathogen or insect resistance.

12. The plant of Claim 7, wherein the polynucleotide of interest  
10 encodes a polypeptide involved in cell cycle regulation, carbohydrate metabolism, protein metabolism, fatty acid metabolism, or phytohormone biosynthesis.

13. A method for expressing a first polynucleotide in a plant, said  
15 method comprising introducing into a plant an expression cassette comprising a promoter and a first polynucleotide operably linked thereto, wherein said promoter comprises a second polynucleotide that initiates transcription of an operably linked polynucleotide in a plant cell, and wherein said second polynucleotide comprises a sequence selected from the group consisting of:

- 20           a) SEQ ID NO:1;  
             b) at least 55 contiguous nucleotides of SEQ ID NO:1;  
             c) a sequence with at least 70% sequence identity to SEQ ID NO:1; and  
             d) a sequence of a polynucleotide that hybridizes under  
25 stringent conditions to the complement of SEQ ID NO:1.

14. The method of Claim 13, wherein said first polynucleotide is selectively expressed in the embryo surrounding region.

30           15. The method of Claim 13, wherein said plant is a monocot.

16. The method of Claim 15, wherein said monocot is maize, barley, wheat, oat, rye, sorghum, or rice.

5 17. The method of Claim 13, wherein said first polynucleotide encodes a gene product that confers pathogen or insect resistance.

18. The method of Claim 13, wherein said first polynucleotide encodes a polypeptide involved in cell cycle regulation, carbohydrate metabolism, protein  
10 metabolism, fatty acid metabolism, or phytohormone biosynthesis.

19. A method for expressing a first polynucleotide in a plant cell, said method comprising introducing into a plant cell an expression cassette comprising a promoter and a first polynucleotide operably linked thereto, wherein  
15 said promoter comprises a second polynucleotide that initiates transcription of an operably linked polynucleotide in a plant cell, and wherein said second polynucleotide is selected from the group consisting of:

- a) a polynucleotide comprising the sequence set forth in SEQ ID NO:1, or a complement thereof;
- 20 b) a polynucleotide comprising at least 55 contiguous nucleotides of the sequence set forth in SEQ ID NO:1;
- c) a polynucleotide comprising a sequence having at least 70% sequence identity to the sequence set forth in SEQ ID NO:1; and,
- d) a polynucleotide that hybridizes under stringent conditions to  
25 the complement of SEQ ID NO:1.

20. The method of Claim 19, wherein said plant cell is from a monocot.

21. The method of Claim 20, wherein said monocot is maize, barley,  
30 wheat, oat, rye, sorghum, or rice.

22. The method of Claim 19, wherein said first polynucleotide encodes a gene product that confers pathogen or insect resistance.

5           23. The method of Claim 19, wherein said first polynucleotide encodes a polypeptide involved in cell cycle regulation, carbohydrate metabolism, protein metabolism, fatty acid metabolism, or phytohormone biosynthesis.

10           24. A method for selectively expressing a first polynucleotide in the embryo surrounding region (ESR) of a plant seed, said method comprising introducing into a plant an expression cassette comprising a promoter and a first polynucleotide operably linked thereto, wherein said promoter comprises a second polynucleotide that initiates transcription of an operably linked polynucleotide in the ESR of a plant seed, and wherein said second  
15 polynucleotide is selected from the group consisting of:

          a) a polynucleotide comprising the sequence set forth in SEQ ID NO:1, or a complement thereof;

          b) a polynucleotide comprising at least 55 contiguous nucleotides of the sequence set forth in SEQ ID NO:1;

20           c) a polynucleotide comprising a sequence having at least 70% sequence identity to the sequence set forth in SEQ ID NO:1; and,

          d) a polynucleotide sequence that hybridizes under stringent conditions to the complement of SEQ ID NO:1.

25           25. The method of Claim 24, wherein expression of said first polynucleotide alters the phenotype of said transformed seed.

          26. The method of Claim 24, wherein the plant is a monocot.

27. The method of Claim 26, wherein the monocot is maize, barley, wheat, oat, rye, sorghum, or rice.

28. The method of Claim 24, wherein the first polynucleotide encodes a gene product that confers pathogen or insect resistance.

29. The method of Claim 24, wherein the first polynucleotide encodes a polypeptide involved in cell cycle regulation, carbohydrate metabolism, protein metabolism, fatty acid metabolism, or phytohormone biosynthesis.

10

30. A method of altering plant phenotype comprising:

(a) transforming a plant host cell with at least one isolated nucleic acid molecule of claim 1 operably linked to at least one polynucleotide of interest;

15 (b) growing the transformed host cell under conditions favoring plant regeneration; and

(c) generating a plant wherein said regenerated plant exhibits an altered phenotype.